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09/626,945	07/27/2000	Hulikunta Prahlad Raghunandan	JP9-2000-0176US1	9415

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EXAMINER

LERNER, MARTIN

ART UNIT	PAPER NUMBER
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2654

DATE MAILED: 02/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/626,945

Applicant(s)

RAGHUNANDAN, HULIKUNTA  
PRAHLAD

Examiner

Martin Lerner

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 26 November 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1 to 14 and 16 to 18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 to 14 and 16 to 18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_. 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Specification*

1. The disclosure is objected to because of the following informalities:

On page 5, line 27, the sentence should end in a period.

Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1, 2, and 4 are rejected under 35 U.S.C. 102(e) as being anticipated by *Groner*.

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Regarding independent claim 1, *Groner* discloses a speech recognition system for converting voice mail messages to electronic mail messages including a remote control device (telephone device 32 or text display device 44: Figure 1), comprising:

“means to convert speech to text” – in step 58, the voice-to-electronic mail system 30 generates a text message from the audio message from the caller (column 4, line 66 to column 5, line 1; column 7, lines 3 to 13: Figure 4);

“means to transmit the text to the e-mail system” – in step 158, the dialog manager 104 assembles the message header data structure 134 and text file into an e-mail message storage 138 (column 7, lines 13 to 16: Figure 4);

“means to receive the text from the e-mail system” – the electronic mail message is forwarded to the recipient through the electronic mail system (column 3, lines 13 to 18);

“means to convert the received text into speech” – if the caller wants to review the text message, the dialog manager 104 invokes the text-to-speech conversion procedure 136 to recite the text message to the caller (column 10, lines 29 to 34: Figure 3);

“means to select and access the received e-mail in the e-mail system” – using an ordinary electronic mail system and a simple, text display device, the recipient can select messages by sender and subject, and then display them; if the recipient's display device has audio capability, the recipient may also listen to the message (column 3, lines 22 to 29).

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Regarding claim 2, *Groner* discloses that, using an ordinary electronic mail system and a simple, text display device, the recipient can select messages by sender and subject, and then display them (column 3, lines 22 to 29).

Regarding claim 4, *Groner* discloses the recipient can select messages by sender and subject ("for selecting email message or folder") (column 3, lines 22 to 29).

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3, 6, 8 to 14, and 16 to 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Groner* in view of *Lemaire et al.*

Regarding independent claim 8, *Groner* discloses all of the limitations of receiving, converting, transmitting, and transferring, but omits only the details of a microphone amplifier for amplifying the signal, an analog to digital converter, a processor, a ROM containing text-to-speech conversion and speech-to-text conversion software, a RAM containing speech-to-text data and text-to-speech data, a digital to analogue converter, an audio amplifier and a loud speaker. However, *Lemaire et al.* teaches a portable computer device for audible processing of remotely stored messages, where electronic circuitry includes a microphone for receiving analog speech signals, an audio pre-amp 68 for amplifying the analog speech signal, an A/D converter

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70 for converting the analog speech signal to a digital speech signal, a microprocessor 40, EPROM 52, RAM 54 to 60, a D/A converter 70 for converting the digital speech signal to an analog speech signal, an audio power amp 72 for amplifying the analog speech signal, and a speaker 18 for producing the amplified speech signal to the user. (Column 7, line 58 to Column 11, Line 40: Figure 2) *Lemaire et al.* suggests this circuitry permits audible processing of remotely stored electronic and audible telephone messages within a portable battery powered computer device. (Column 3, Lines 56 to 68) It would have been obvious to one having ordinary skill in the art to utilize the processor, memory, A/D, D/A, and amplifier circuitry of *Lemaire et al.* in the speech recognition system for converting voice mail messages to electronic mail messages of *Groner* for the purpose of permitting audible processing of remotely stored electronic mail messages in a portable battery powered device.

Regarding independent claims 14 and 16, *Groner* discloses all of the limitations of receiving, converting, transmitting, and transferring, but omits only the details of receiving the speech as an analog signal, amplifying the analog signal, converting the amplified signal to digital form, converting the digitized speech to back to analog form, and amplifying the analog signal to the user. However, *Lemaire et al.* teaches a portable computer device for audible processing of remotely stored messages, where electronic circuitry includes a microphone 24 for receiving analog speech signals, an audio pre-amp 68 for amplifying the analog speech signal, an A/D converter 70 for converting the analog speech signal to a digital speech signal, a D/A converter 70 for converting the digital speech signal to an analog speech signal, an audio power amp 72

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for amplifying the analog speech signal, and a speaker 18 for producing the amplified speech signal to the user. (Column 7, line 58 to Column 11, Line 40: Figure 2) *Lemaire et al.* suggests this circuitry permits audible processing of remotely stored electronic and audible telephone message within a portable battery powered computer device.

(Column 3, Lines 56 to 68) It would have been obvious to one having ordinary skill in the art to utilize the A/D, D/A, and amplifier circuitry of *Lemaire et al.* in the speech recognition system for converting voice mail messages to electronic mail messages of *Groner* for the purpose of permitting audible processing of remotely stored electronic mail messages in a portable battery powered device.

Regarding claim 3, *Groner* discloses an e-mail message includes from field 186 ("the sender"), subject field 184 ("subject"), message field 188 ("e-mail content") and check box 190 for an attachment of a voice mail message ("attachment (if required)"); also, the date the call was made in the message header. (Column 9, Lines 40 to 59: Figures 6, 7, and 10) *Groner* includes a text-to-speech procedure 136, but does not expressly state these items are customized by the user to be spoken aloud by the e-mail system. However, *Lemaire et al.* teaches a portable computer device for audible processing of remotely stored messages, where retrieved text data is converted to speech signals, which are synthesized by a speech synthesizer. (Column 12, Lines 20 to 47: Figure 7) It would have been obvious to one having ordinary skill in the art to apply speech synthesis to the message header fields of *Groner* as suggested by

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*Lemaire et al.* for the purpose of providing the user with information about the message when a display device is not available.

Regarding claim 6, *Lemaire et al.* suggests a telephone interface for cellular communication utilizing radio frequency transmission. (Column 6, Line 66 to Column 7, Line 3)

Regarding claims 9 and 10, *Lemaire et al.* discloses a microprocessor 40 (column 8, lines 2 to 9).

Regarding claims 11 to 13, *Lemaire et al.* discloses electronic circuitry for a portable computer device, but omits an ASIC including ROM, RAM, transmitter and receiver, and the entire circuit except for the microphone, speaker, computer and control panel. However, an ASIC is a well-known expedient in signal processing systems, and it is common for any circuitry to be implemented as an ASIC during the manufacturing process.

Regarding claims 17 and 18, *Groner* discloses using an ordinary electronic mail system and a simple text display device, the recipient can select messages by sender and subject, and then display them; if the recipient's display device has audio capability, the recipient may also listen to the message (column 3, lines 22 to 29).

6. Claims 5 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Groner* in view of *Aktas et al.*

*Groner* omits the specifics of speaking aloud the summary of an e-mail folder, and providing an audio announcement whenever messages are received. However,



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*Aktas et al.* teaches a related e-mail system for organizing messages from a displayless interface. In particular, *Aktas et al.* says messages are stored in folders according to topic. (Column 5, Lines 40 to 65) Subsequently, the voicemail system may recite a list of subjects. (Column 9, Lines 26 to 36) Also, when the user accesses his mailbox, the voicemail system recites a list of messages. (Column 9, Lines 26 to 36) It would have been obvious to one having ordinary skill in the art to announce message summaries or new messages as taught by *Aktas et al.* in the speech recognition system for converting voice mail into electronic mail of *Groner* for the purpose of notifying the user audibly when a display is not available.

### ***Response to Arguments***

7. Applicant's arguments filed 26 November 2003 have been fully considered but they are not persuasive.

It is noted that Applicant's amendment to the Specification is defective as it does not set forth page and line numbers. Thus, the amendment to the Specification is not entered.

Regarding the rejection under 35 U.S.C. § 102(e), Applicant argues *Groner* discloses a computer system, but makes no reference to a remote control device, as in the claims as amended.

However, the remote control device for *Groner* is the telephone device 32. A caller uses a telephone device 32 to access the voice mail system 38. The voice mail system 38 is remote from the telephone device 32. Thus, the telephone device 32

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serves as a remote control device for accessing the voice mail system 38. As an alternative, *Groner* suggests text display device 44 can access voice mail system 38; thus, text display device 44 also serves as a remote control device. (See Column 4, Lines 20 to 48: Figure 1) Significantly, the claims as drafted are directed to a computing system that includes a remote control device. In *Groner*, the entire network 20 is a system, which includes a telephone device 32 acting as a remote control device, where the system comprises means to convert speech to text, means to transmit the text to the e-mail system, means to receive the text, means to convert the text, and means to select the text. Thus, *Groner* discloses a remote control device as telephone device 32.

Regarding the rejection under 35 U.S.C. § 103 (a), Applicant argues *Lemaire et al.* does not disclose a remote control device with the same structure as that claimed, and does not perform speech-to-text conversion of e-mail messages.

However, it is maintained *Lemaire et al.* is cited for a specific circuit having elements including A/D and D/A conversion and amplifiers, and not a remote control device or speech-to-text conversion. As noted above, *Groner* discloses a telephone device 32 functioning as a remote control device, and speech-to-text conversion. (See Column 4, Line 58 to Column 5, Line 4) Thus, it is *Groner*, not *Lemaire et al.*, which is cited for these features.

Regarding claim 8, Applicant contends *Lemaire et al.* specifically does not teach an output of a processor connected to random access memory that contains speech-to-text data. However, again, it is maintained *Groner* discloses these features. Figure 3 of *Groner* shows a computer system 70 implementing the voice-to-electronic mail system

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30. The computer system 70 includes a data processor (CPU) 72 and memory 82, which may include random access memory. (Column 5, Lines 5 to 18) After an e-mail message is converted from speech to text by speech recognition procedure 116, the text message resides in message content storage 120 as a text file 118. (Column 6, Lines 6 to 10) One skilled in the art knows that when text messages are stored they are placed in RAM of a computer, implicitly. Thus, *Groner* teaches the cited features of claim 8.

Regarding claims 5 and 7, Applicant contends *Aktas et al.* does not suggest audibly announcing an e-mail message subject header or an e-mail folder label.

However, *Aktas et al.* does suggest a voicemail system that may recite a list of subjects of messages. (Column 9, Lines 29 to 31: Figure 6C, Step 626) Moreover, the e-mail messages are stored in folders in *Aktas et al.* (Column 5, Lines 46 to 65) Reciting a list of subjects of e-mail messages contained in folders is equivalent to announcing a summary of the e-mail message folder. Clearly, reciting a list of subjects of messages is different from reciting each of the messages in its entirety. Thus, it is maintained *Aktas et al.* does suggest the limitations of claims 5 and 7.

Therefore, the rejections of claims 1, 2, and 4 under 35 U.S.C. 102(e) as being anticipated by *Groner*, of claims 3, 6, 8 to 14, and 16 to 18 under 35 U.S.C. 103(a) as being unpatentable over *Groner* in view of *Lemaire et al.*, and of claims 5 and 7 under 35 U.S.C. 103(a) as being unpatentable over *Groner* in view of *Aktas et al.*, are proper.

***Conclusion***

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Martin Lerner whose telephone number is (703) 308-9064. The examiner can normally be reached on 8:30 AM to 6:00 PM Monday to Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on (703) 305-9645. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

*me*

ml  
1/29/04

  
RICHEMOND DORVIL  
SUPERVISORY PATENT EXAMINER